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MEMO ENDORSED:

The application is granted. The sentencing currently scheduled for January 5, 2022 is adjourned to **February 23, 2022 at 4:00 p.m.**

SO ORDERED.



Paul G. Gardephe
United States District Judge

Dated: December 17, 2021

December 16, 2021

Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Latifah Abdul-Khaliq*, Docket No. 19 Cr. 789 (PGG)

Dear Judge Gardephe:

The defendant, Latifah Abdul-Khaliq, is presently scheduled to be sentenced on Wednesday, January 5, 2022, at 10:00 a.m.; however, defense counsel respectfully submits this letter motion to request that the sentencing date be continued for a period of 45 days, to provide defense counsel adequate additional time to prepare and file a comprehensive written sentencing submission in this matter.

This request is made as a result of defense counsel's schedule, which includes an extraordinary Covid-19 pandemic related backlog of cases in both state and federal courts.¹ Additionally, my Associate of more than two decades recently suffered a temporary disability as the result of a retinal condition affecting his vision. We have practiced law together, side by side, for more than 20 years, working jointly on most cases, including this matter, but as a result of this unforeseen circumstance, everything has fallen upon me to get done by myself, against the backdrop of a profound Covid-19 related backlog of cases. As a result, defense counsel requires an additional 45 days, so that I will have reasonable time to submit Latifah Abdul-Khaliq's sentencing recommendation to the court.

Simply put, we are doing the best that we can, but as a result of the foregoing, defense counsel requests that the court continue the sentencing of the defendant, Latifah

¹ Just within the past few weeks, alone, defense counsel has represented defendants in three federal sentencing hearings, including one before your Honor; counsel has twice been sent out to trial parts for jury selection in two separate Criminal Court matters - one in Brooklyn, the other in the Bronx. (Although neither case proceeded to trial on their respective dates, counsel was required to fully prepare for both trial matters and be ready to select a jury.); and during the same time period, counsel was also required to make two urgent trips to Philadelphia as part of my duties as Resource Counsel in a federal death penalty case pending in the United States District Court for the Eastern District of Pennsylvania.

Abdul Khaliq, for an in-court sentencing, to a date near the end of February 2022, which is convenient with the court.

A.U.S.A. Louis Pellegrino has been informed of defense counsel's intention to file this application, and has no objection on behalf of the government.

Thank you for your Honor's consideration of this application. If there are any questions, or if additional information is required, please contact me at your Honor's convenience.

Respectfully,

Anthony L. Ricco

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ALR/jh

cc: A.U.S.A. Louis Pellegrino (By E.C.F.)